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COUNSEL/PARTIES OF RECORD	
MAY 17 2016	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FRAN FAULKNER,

Plaintiff,

v.

CAROLYN COLVIN, Commissioner,
Social Security Administration,

Defendant.

Case No. 3:16-CV-0215-HDM (VPC)

ORDER

Before the court is plaintiff's application to proceed *in forma pauperis* (#1).

I. Application to Proceed In Forma Pauperis

Plaintiff filed this action and attached a financial affidavit to the application and complaint as required by 28 U.S.C. § 1915(a). In reviewing plaintiff's financial affidavit pursuant to 28 U.S.C. § 1915, the court finds that plaintiff is unable to pre-pay the filing fee. Therefore, plaintiff's application to proceed *in forma pauperis* (#1) is **GRANTED**.

II. Complaint

Plaintiff brings suit against Carolyn Colvin, Acting Commissioner of the Social Security Administration, alleging that plaintiff was wrongfully denied social security disability benefits. Federal courts only have jurisdiction to conduct judicial review of Social Security Administration's financial decision. See 42 U.S.C. § 405(g); see also *Pacific Coast Medical Enterprises v. Harris*, 633 F.2d 123, 137 (9th Cir. 1980). Upon initial review of plaintiff's complaint, it appears that plaintiff fully exhausted the administrative remedies with the Social Security Administration. The court will therefore allow plaintiff's complaint to proceed as a petition for judicial review of a final agency decision. Therefore,

1 **IT IS ORDERED** that plaintiff's application to proceed *in forma pauperis* (#1) is
2 **GRANTED**. At this time, plaintiff shall not be required to pre-pay the full filing fee of four
3 hundred dollars (\$400.00). Plaintiff is permitted to maintain the action to conclusion without the
4 necessity of prepayment of any additional fees, costs, or security therefor. This order granting
5 leave to proceed *in forma pauperis* shall not extend to the issuance of subpoenas at government
6 expense.

7 **IT IS FURTHER ORDERED** that the clerk of court shall **FILE** the complaint.

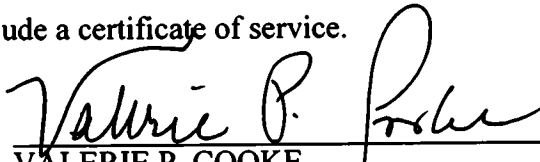
8 **IT IS FURTHER ORDERED** that the clerk of court shall **SERVE** the Commissioner of
9 the Social Security Administration by sending a copy of the Summons and Complaint by
10 certified mail to: (1) the General Counsel, Social Security Administration, Room 611, Altmeyer
11 Building, 6401 Security Boulevard, Baltimore, MD 21235; (2) the Attorney General of the
12 United States, Department of Justice, 950 Pennsylvania Avenue, N.W., Washington, DC 20530;
13 and (3) Office of the Regional Chief Counsel, Region IX, Social Security Administration, 160
14 Spear Street, Suite 899, San Francisco, California 94105.

15 **IT IS FURTHER ORDERED** that the clerk of court shall **ISSUE** a summons to the
16 Social Security Administration and deliver the summons and complaint to the U.S. Marshal for
17 service on the U.S. Attorney's Office at 100 West Liberty Street, Suite 600, Reno, Nevada
18 89501.

19 **IT IS FURTHER ORDERED** that defendants shall have **sixty (60) days** from the date
20 of service to file their answer or other responsive pleading to plaintiff's complaint in this case.

21 **IT IS FURTHER ORDERED** that henceforth, plaintiff shall serve upon defendant, or
22 defendant's attorney, a copy of every pleading, motion, or other document submitted for
23 consideration by the court. Plaintiff shall include with the original paper submitted for filing a
24 certificate stating the date that a true and correct copy of the document was mailed to defendant
25 or defendant's counsel. The court may disregard any paper received by a district judge,
26 magistrate judge, or clerk which fails to include a certificate of service.

27 DATED: May 17, 2016.

28 
VALERIE P. COOKE
UNITED STATES MAGISTRATE JUDGE